

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

In re:

BLOCKFI INC., *et al.*,

Debtors.

BLOCKFI INC. AS THE WIND DOWN  
DEBTORS,

Plaintiff,

v.

ACE AMERICAN INSURANCE  
COMPANY, ARCH INSURANCE  
COMPANY, AXIS INSURANCE  
COMPANY, BERKLEY INSURANCE  
COMPANY, BERKSHIRE HATHAWAY  
SPECIALTY INSURANCE COMPANY,  
ENDURANCE AMERICAN SPECIALTY  
INSURANCE COMPANY, NATIONAL  
UNION FIRE INSURANCE COMPANY  
OF PITTSBURGH, PA, U.S. SPECIALTY  
INSURANCE COMPANY, XL SPECIALTY  
INSURANCE COMPANY,

Defendants.

Chapter 11

Case No. 22-19361 (MBK)

(Jointly Administered under a Confirmed Plan)

Adv. Proc. No. 24-01067 (MBK)

**APPLICATION IN LIEU OF A MOTION FOR AGREED ORDER EXTENDING  
DEADLINE TO ANSWER OR OTHERWISE RESPOND TO AMENDED  
COMPLAINT AND PROVIDING FOR ACCEPTANCE OF SERVICE THEREOF**

To: HONORABLE MICHAEL B. KAPLAN  
Chief United States Bankruptcy Judge

Defendants Arch Insurance Company, Berkley Insurance Company, Berkshire Hathaway Specialty Insurance Company, U.S. Specialty Insurance Company, and XL Specialty Insurance Company (collectively, the “Movants”), by and through their undersigned counsel, hereby submit this application in lieu of motion (the “Application”), pursuant to D.N.J. LBR 9021-1(b), seeking the approval and entry of the proposed *Joint Stipulation and Agreed Order Extending Deadline to*

*Answer or Otherwise Respond to Amended Complaint and Providing for Acceptance of Service Thereof* (the “Stipulated Order”), a copy of which is attached hereto as **Exhibit A**, and respectfully state as follows:

1. The Stipulated Order is entered into by and among plaintiff BlockFi Inc., as Wind Down Debtors (the “Plaintiff”), and defendants ACE American Insurance Company, Arch Insurance Company, Axis Insurance Company, Berkley Insurance Company, Berkshire Hathaway Specialty Insurance Company, Endurance American Specialty Insurance Company, National Union Fire Insurance Company of Pittsburgh, PA, U.S. Specialty Insurance Company, and XL Specialty Insurance Company (collectively, the “Defendants” and, together with the Plaintiff, the “Parties”).

2. In exchange for the Defendants’ counsel accepting service of the amended complaint on behalf of their respective client(s), the Plaintiff has agreed to extend the deadline for the Defendants to answer or otherwise respond to the Amended Complaint.

3. The Parties have entered into the attached Stipulated Order and agreed to be bound by its terms, subject to approval by the Court.

4. This Application is submitted pursuant to D.N.J. LBR 9021-1(b) in lieu of a motion in support of the proposed Stipulated Order as presented. The Movants submit that the Proposed Stipulated Order is in the best interests of all parties because it will prevent unnecessary or unfocused litigation and allow the litigation to move forward in an efficient and expeditious manner.

WHEREFORE, the Movants respectfully request that the Court enter the proposed Stipulated Order and grant such other relief as the Court deems just and appropriate under the circumstances.

Dated: February 22, 2024  
New York, New York

Respectfully submitted,

**DLA PIPER LLP (US)**

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- and -

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